

Part 1 - Objectives or Intended Outcomes

The objective of this proposal is to amend Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP 2002) as it applies to the Glenfield Urban Release Area. Specifically, the amendment to CLEP 2002 will rectify anomalies brought about during the development of the release area. These anomalies have resulted in a number of residential lots being developed across land that is partially zoned residential and open space.

This has resulted due to the shifting of road alignment within the estate and the redesign of drainage infrastructure in the local area.

This proposal only applies to a small portion of land within the release area. All the land is currently in the ownership of a single owner (the applicant – Mirvac Homes) making this an opportune time to adjust the zoning boundaries prior to the land being sold to individual landowners.

The largest proportion of this land is an area previously set aside for a vegetation corridor. This corridor is to be maintained however it will now be in private ownership rather than public. Restrictions and obligations will be placed upon the future owners of these properties in accordance with advice received from Department of Environment, Climate Change and Water (DECCW) to ensure that the corridor is maintained for its intended purpose.

Part 2 - Explanation of Provisions

It is proposed to amend CLEP 2002 by inserting in appropriate order in the definition of "the map" in Schedule 3, the following words:

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No. 22)

Part 3 – Justification

Section A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not the result of any strategic study or report.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This process is the only way to achieve the desired objectives. The amendment will remove any confusion in regard to the existing zoning for both the future owners, the community and Council.

3. Is there a net community benefit?

This amendment will remove the need for Council to acquire approximately 2,575 sqm of open space. This effectively removes \$444,187.50 from the Section 94 plan that applies to this area. This equates to a saving of \$403.80 per dwelling

In addition the future owners will take responsibility for the long term maintenance, in accordance with the Section 88B instrument developed by the Department of Environment, Climate Change and Water. This instrument clearly stipulates the restrictions and obligations placed upon the owners to ensure that the corridor is maintained for its intended purpose. This will save the community (Council) additional funds in the future that would have been expended on on-going maintenance.

Section B - Relationship to strategic planning framework.

4. Is the planning proposal consistent with the objectives and actions contained

It is considered that the proposed amendment is not inconsistent with the Sydney Metropolitan Strategy or the South West Sub Regional Plan.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

It is considered that the proposed amendment is not inconsistent with the Campbelltown 2025 Looking Forward, the draft Local Planning Strategy nor Council's draft Open Space Review.

6. Is the planning proposal consistent with applicable state environmental planning policies?

It is considered that the proposed amendment is not inconsistent with any State Environmental Planning Policies that apply to this area.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

It is considered that the proposed amendment is not inconsistent with any relevant s177 direction (i.e. Planning for Bush Fire Protection/ Reserving Land for Public Purposes) that applies to this area.

Section C - Environmental, social and economic impact.

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The largest proportion of this land is an area previously set aside for as a vegetation corridor. The corridor was identified in the LES as an important east/west link through the Release Area. This corridor is to be maintained however it will now be in private ownership rather than public.

In this regard, Council has undertaken consultation with the DECCW in regard to the corridor. DECCW is satisfied that, with a Section 88B instrument placed on title, the corridor can be preserved for its intended purpose. DECCW has provided Council with a draft Section 88B instrument and a letter of support (see Attachment No.1)

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The management of the environmentally sensitive land will be the responsibility of the owners. The draft S88B instrument clearly articulates the restrictions and obligations placed upon the owner in regard to the management of this land.

10. How has the planning proposal adequately addressed any social and economic effects?

This rezoning will remove the need for approximately 2,575sqm of open space to be acquired and maintained by Campbelltown City Council. This will save the community \$444,187.50 directly. In addition the ongoing maintenance cost will be borne by the residents rather than Council.

11. Is there adequate public infrastructure for the planning proposal?

This proposal does not have any impact on public infrastructure or create a need for the provision of any public infrastructure.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Given that part of this proposal applies to land that was identified as a vegetation corridor and contains Cumberland Plain Woodland, consultation has been undertaken with DECCW.

DECCW supports the proposal on the provision that a Section 88B instrument be placed on the title of the effected properties requiring the owners to manage and maintain the corridor according to DECCW's requirements. Council and the applicant requesting the amendment (Mirvac Homes) have agreed to this provision.

Part 4 – Community Consultation

Council is of the opinion that there is no need for public consultation in regard to the amendment as significant consultation (including meetings) has already occurred with the relevant agency (DECCW).

This area is currently being developed and under one ownership. Further more while the present zoning indicates that the area will be used for a public open space purpose, it was always the intention that the area would be retained as a vegetation corridor. As such there is no public expectation in regard to this area being publically accessible.

Given that Council has also already undertaken consultation with DECCW in regard to this proposal, it is not considered that further consultation will be required with government agencies.

It is therefore requested that this proposal be exempt from community consultation in accordance with the resolution of Council.